

Claims 1-14 are provisionally rejected for alleged obviousness-type double patenting over claims 1-12, 14-19, 21, 22, and 25 of co-pending Application No. 10/306,827. The Examiner characterizes claims 1-12, 14-19, 21, 22, and 25 of Application No. 10/306,827 as being drawn to a method of increasing the yield from a polymerase reaction on a target sequence comprising contacting the target nucleic acid with a polymerase joined to a sequence non-specific-nucleic acid-binding domain anticipates current claims 1-14, drawn to a method of amplifying a target nucleic acid using a protein where the sequence non-specific binding domain specifically binds to polyclonal antibody generated against Sso7d.

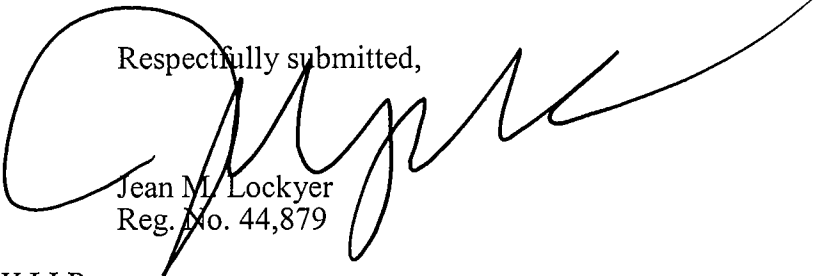
The instant application and Application No. 10/306,827 are commonly owned. As the Examiner noted, no claims have been allowed in Application No. 10/306,827. Applicants will consider filing a terminal disclaimer should the conflicting claims be allowed. Applicants note that the filing of a terminal disclaimer to obviate a rejection based on non-statutory double patenting is not an admission of the propriety of the rejection. See, MPEP §804.02.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,


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